

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

TIMOTHY M. BROWDER,)	
)	1:05cv10464
Plaintiff,)	
)	Judge Saris
v.)	
)	
NATIONAL FINANCIAL SYSTEMS, INC.,)	
)	
Defendant.)	

**PLAINTIFF'S UNOPPOSED MOTION FOR EXTENSION
TO FILE CLASS CERTIFICATION MOTION**

Plaintiff Timothy M. Browder respectfully asks the Court to enter an order granting him a thirty day extension in which to file a class certification motion.

In support of this motion, Plaintiff states as follows:

1. On June 21, 2005, this Court entered a scheduling order which, *inter alia*, set the following deadlines: December 15, 2005, class and fact discovery; January 22, 2006, motion for class certification; March 8, 2006, hearing on class certification motion.
2. On December 2, 2005, the parties participated in a court sponsored mediation. The parties were unable to settle this matter during the mediation.
3. On December 19, 2005, upon the parties' joint motion, the Court entered an order extending the class and fact discovery deadline to February 15, 2006.
4. The parties are once again planning to discuss settlement. Since the December 2, 2005 mediation, the legal issues separating the parties have narrowed and Plaintiff is hopeful that that the parties will be able to reach a settlement.
5. Rather than incurring time and expenses in drafting a class certification

motion, plaintiff seeks a thirty day extension in which to file such a motion. The parties will in all likelihood know by then if their renewed settlement efforts will have proved successful.

6. Defendant's counsel has indicated that they do not have any objection to this motion.

WHEREFORE, Plaintiff respectfully asks the Court to enter an order granting him a thirty day extension in which to file a class certification motion.

Respectfully submitted,

s/ Francis R. Greene
Francis R. Greene

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RULE 7.1 CERTIFICATION

I, Francis R. Greene, hereby certify that I have conferred in good faith with counsel for National Financial Systems, Inc. regarding this motion. Defendant's counsel does not object to the filing of this motion.

s/ Francis R. Greene
Francis R. Greene

CERTIFICATE OF SERVICE

I, Francis R. Greene, hereby certify that on January 20, 2006, a copy of the foregoing Plaintiff's Unopposed Motion for Extension to File Class Certification motion was file electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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